



New Jersey Department of Children and Families Policy Manual

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SUBJECT: Managing Hazards in Department of Children and Families (DCF)
Regional Schools

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A. OBJECTIVE

To provide Department of Children and Families (DCF) Regional Schools with a policy that addresses the management of hazards in the school environment and which meets the requirements for the "Worker and Community Right to Know Act," the "Written Hazard Communication Program" and the Written Indoor Air Quality Program.

B. DEFINITIONS

Air contaminants - means substances contained in the vapors from paint, cleaning chemicals, pesticides, solvents, particulates, outdoor air pollutants and other airborne substances which together may cause material impairment to employees working within the enclosed workplace.

Building-related illness - means specific medical conditions of known etiology which can be documented by physical signs and laboratory findings. Such illnesses include sensory irritation when caused by known agents; respiratory allergies; asthma; nosocomial infections; humidifier fever; Legionnaires' disease; and the signs and symptoms characteristic of exposure to chemical or biologic substances such as carbon monoxide, formaldehyde, pesticides, endotoxins, or mycotoxins.

Building systems - means the heating, ventilation and air-conditioning (HVAC)

system, the energy management system and all other systems in a facility which may impact indoor air quality.

Chemical Abstracts Service (CAS) number - means the unique identification number assigned by the Chemical Abstracts Service to chemicals.

Chemical name - means the scientific designation of a chemical in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry or the Chemical Abstracts Service rules of nomenclature.

Environmental hazardous substance list - means the list of environmental hazardous substances developed by the Department of Environmental Protection pursuant to N.J.S.A. 34:5 [Attachment A-4](#) and N.J.A.C. 7:1G-2. The environmental hazardous substance list is incorporated into the Right to Know Hazardous Substance list.

Hazardous Substance Fact Sheet (HSFS) - means a written document, prepared by the Department of Health and Senior Services for each hazardous substance except for generic categories, and transmitted by the Department of Health and Senior Services to public employers, county health departments, county clerks, designated county lead agencies and the public pursuant to the provisions of the Worker and Community Right to Know Act, L. 1983, Chapter 315, N.J.S.A. 34:5 [Attachment A-1](#) et seq.

Health Hazard - means a chemical for which there is statistically significant evidence, based on at least one study conducted in accordance with established scientific principles, that acute or chronic health effects may occur in exposed individuals.

HVAC system - means the collective components of the heating, ventilation and air-conditioning system including, but not limited to, filters and frames, cooling coil condensate drip pans and drainage piping, outside air dampers and actuators, humidifiers, air distribution ductwork, automatic temperature controls, and cooling towers.

HVAC System Commissioning Report - means a document normally prepared by an architect or engineer that provides verification that the HVAC system is operating in conformity with the design intent.

Lockout/Tagout - "Lockout/Tagout (LOTO)" refers to specific practices and procedures to safeguard employees from the unexpected energization or startup of machinery and equipment, or the release of hazardous energy during service or maintenance activities. This requires that a designated individual turns off and disconnects the machinery or equipment from its energy source(s) before performing service or maintenance and that the authorized employee(s) either lock or tag the energy-isolating device(s) to prevent the release of hazardous energy and take steps to verify that the energy has been isolated effectively.

Material Safety Data Sheets (MSDS) - means written or printed material concerning a hazardous chemical, which is prepared in accordance with N.J.A.C. 12:100-7.7 under the Standard for Hazard Communication. It provides information on health hazards, precautions for safe handling and use, control measures, first aid procedures and other identifying information.

Mixture - means a combination of two or more substances not involving a chemical reaction.

Physical hazard - means a chemical for which there is statistically valid evidence that it is a combustible liquid, a compressed gas, an explosive, a flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive) or water-reactive product.

Renovation and remodeling - means building modifications involving activities that include but are not limited to removal or replacement of walls, roofing, ceilings, floors, carpet, and components such as moldings, cabinets, doors, and windows; painting; decorating; demolition; surface refinishing; and removal or cleaning of ventilation ducts.

Right to Know Hazardous Substance List - includes the workplace hazardous substance list and the environmental hazardous substance list.

Right to Know Survey - includes the workplace survey, environmental survey, and the emergency services information survey.

Sick Building Syndrome - describes a situation in which a workplace is characterized by a substantial number of building occupants experiencing health and comfort problems that can be related to working indoors. Additionally, the reported symptoms do not fit the pattern of any particular illness and are difficult to trace to any specific source, and the relief from these symptoms occurs upon leaving the building. It is important to distinguish Sick Building Syndrome from problems of building-related illness. The latter term is reserved for situations in which signs and symptoms of diagnosable illness are identified and can be attributed directly to specific airborne contaminants.

Special health hazard substance list - means the list of special health hazard substances developed by the Department of Health and Senior Services pursuant to N.J.S.A. 34:5 [Attachment A-5](#) for which an employer may not make a trade secret claim.

Trade Secret Registry Number- means the number a manufacturer is permitted to use in place of a specific chemical substance name or the Chemical Abstract Service Number on the label of a product when one or more of the ingredients is considered a trade secret. A trade secret is a [formula](#), [practice](#), [process](#), [design](#),

[instrument](#), [pattern](#), or compilation of [information](#) which is not generally known or reasonably ascertainable, by which a [business](#) can obtain an economic advantage over competitors or customers.

Technically qualified person - means, for training purposes, a person who is a registered nurse, a certified safety professional, or a certified industrial hygienist or has a bachelors' degree or higher in industrial hygiene, environmental science, health education, chemistry, or a related field, and understands the health risks associated with exposure to hazardous substances.

The technically qualified person can also meet the criteria by completing at least 30 hours of hazardous materials training offered by the New Jersey State Safety Council, the New Jersey Department of Health and Senior Services, an accredited public or private educational institution, labor union, trade association, private organization or government agency; understanding the health risks associated with exposure to hazardous substances; and having at least one year of experience handling hazardous substances or working with hazardous substances. The 30 hour requirement may be met by the combination of one or more hazardous materials training courses.

Workplace Hazardous Substance List - means the list of hazardous substances developed by the Department of Health and Senior Services pursuant to N.J.S.A. 34:5 [Attachment A-5](#). The Workplace Hazardous Substance List is incorporated into the Right to Know Hazardous Substance List.

Workplace survey - means a written document, prepared by the New Jersey Department of Health and Senior Services and completed by a public employer pursuant to the Worker and Community Right to Know Act, on which the employer shall report each hazardous substance on the Right to Know Hazardous Substance List present at its facility. The workplace survey is incorporated into the Right to Know Survey.

C. STANDARDS

1. In accordance with N.J.A.C. 8:59-2.1, the Education Supervisor (ES) or designee shall annually complete the Right to Know (RTK) Survey or RTK Update Survey.
2. In accordance with N.J.A.C. 12:100-7 et seq., the ES or designee at each DCF Regional School shall complete and annually update a Written Hazard Communication Program (WHCP) (Attachment 1).
3. In accordance with N.J.A.C. 12:100-13, the Office of Education (OOE) Operations Manager, the OOE Engineer-in-Charge, and other persons as designated by the Operations Manager shall annually review the Written Indoor

Air Quality Program and shall assure that the DCF Regional Schools are in compliance.

4. The ES at each DCF Regional School shall designate an employee who meets the criteria for a “technically qualified person” to conduct the required training identified in this policy.
5. All staff at each DCF Regional School shall receive training in the required aspects of the Hazard Communication Standard identified in N.J.A.C. 12:100-7 at the time of their initial assignment in a Regional School and when a new physical or health hazard is introduced into the workplace.
6. Refresher training, which shall be an abbreviated version of the initial training, shall be conducted every two years.
7. The OOE Operations Manager shall review and approve the Written Hazard Communication Programs for each Regional School and coordinate the transmission of all required safety/hazards information to the applicable State agency.
8. The Written Hazard Communication Program shall be maintained at each DCF Regional School and be available to all employees, upon request.
9. The procedure for the “Lockout/Tagout Program” (Attachment 2) establishes the requirements for the lockout of energy isolating devices whenever maintenance or servicing is done on electrical circuits or equipment.
10. The asbestos and non-asbestos floor coverings in the Regional Schools shall be maintained in accordance with the procedures established in the protocol for floor care (Attachment 4).

D. PROCEDURES FOR THE RIGHT TO KNOW SURVEY

1. The Right to Know (RTK) Survey or Survey Update, as appropriate, shall be provided to each DCF Regional School every April by the OOE Operations Manager.
2. The ES or designee at each DCF Regional School shall annually complete and return the Right to Know (RTK) Survey or Survey Update to the OOE Operations Manager prior to July first, according to the following:
 - a. Report all hazardous substances listed on the Right to Know Hazardous Substance List that are present at each school by the common name and the Chemical Abstracts Service (CAS) number listed on the RTK Hazardous Substance List;

- b. Report any hazardous substances listed on the Special Health Hazards Substance List;
 - c. Report any hazardous substances other than special health hazard substances which are included in a *mixture* if they constitute one percent or more of the mixture or if they are present in an aggregate of 500 pounds or more in a container located at the school (regardless of the percentage of the substance in the mixture); and
 - d. Report the hazardous substances in the format prescribed on the RTK Survey.
 - 1) The RTK Survey is completed once every five years.
 - 2) The RTK Survey Update is completed each intervening year by listing *any additional chemical products* that have been added to the school environment.
3. The OOE Operations Manager shall compile all the Regional School RTK Surveys and/or RTK Survey Updates and will mail them to the Department of Health and Senior Services by July 15 of each year.
4. The ES or designee shall provide a copy of the Right to Know Survey and/or Survey Update to:
- a. The local fire department;
 - b. Local police department;
 - c. Local health department;
 - d. Local emergency planning committee; and
 - e. The county health department, county clerk, or county lead agency of the county in which the school is located
5. The ES or designee at each Regional School shall establish, maintain and make available to staff a Central File containing the following items:
- a. The current RTK Survey and Survey Updates;
 - b. The MSDS for all chemical products at the school and brought on site by any subcontractor;
 - c. The HSFS for all individual chemicals reported on the RTK Survey and/or Survey Update; and

- d. The RTK Hazardous Substance List.
6. The ES shall ensure that the RTK Poster is displayed in the school.
 7. The ES shall ensure that all containers of hazardous substances stored in the school and on the grounds of the school property are labeled according to the following:
 - a. The label shall contain the chemical name or common name if allowable under N.J.A.C. 8:59-5.7 (Attachment 3) and the CAS number of all hazardous substances in the container.
 - b. The label shall further contain the name of the five most predominant substances in the container or the trade secret registry number assigned to the substance.
 - c. Labels affixed by the manufacturer which contain the chemical name, the CAS number, the five predominant substances and/or trade secret registry number shall satisfy the labeling requirement.
 - d. Containers with mixtures (such as a bleach solution) shall be labeled according to the requirements of this section.
 - e. Labels shall be reapplied to a container if they become loose or fall off.
 - f. Every container in which more than one percent of the contents is unknown shall bear a label stating "Contents Unknown" or "Contents Partially Unknown" and shall be reported to the Operations Manager for further direction.
 8. No staff member shall be permitted to use any product from an unlabeled container.

E. PROCEDURES FOR THE WRITTEN HAZARD COMMUNICATION PROGRAM

1. The ES or designee at each DCF Regional School shall develop a Written Hazard Communication Program (WHCP) (Attachment 1) and update this on an annual basis or more often if there is a change/substitution of any of the designated individuals named in the WHCP.
2. Each DCF Regional School shall use their RTK Survey and RTK Survey Update as the list of hazardous chemicals in the workplace.
3. The WHCP shall describe how employees will be informed of the hazards of non-routine tasks.

4. The WHCP shall contain information about the availability of Material Safety Data Sheets (MSDS's) and Hazardous Substance Fact Sheet (HSFS's) and methods to provide access to the MSDS's and HSFS's.
5. The WHCP shall have a description of container labeling and other forms of warning.
6. The WHCP shall include a description of the employee training program:
 - a. Employees shall be trained at the time of their initial assignment to work with hazardous chemicals and when a new physical or health hazard is introduced into the workplace.
 - b. Refresher training shall be provided every two years for all employees who continue to be exposed to hazardous chemicals. Refresher training is an abbreviated version of the initial training.
 - c. The training shall be conducted by a "technically qualified person". The registered nurse at the Regional Schools meets the qualifications as a "technically qualified person".
 - d. The training program shall be appropriate in content, and the vocabulary used in the training shall be at the educational level and in the language of the employees in the training session.
 - e. Training records for all staff shall be maintained by the ES for the duration of the employee's employment and shall be made available to the Commissioner of Labor or the Commissioner of Health and Senior Services or their designee for examination and copying.
7. The ES or designee shall maintain the following training records:
 - a. Date of the training session;
 - b. Location of the training session;
 - c. Type of training (Initial or Refresher);
 - d. Name and qualifications of the trainer;
 - e. Names and job titles of the persons attending the training sessions; and
 - f. The content or summary of the training session.

F. PROCEDURES FOR THE CONTROL OF HAZARDOUS ENERGY

1. The procedure for the control of hazardous energy, which is known in the safety industry as the “Lockout/Tagout Program” (Attachment 2), shall be utilized for the lockout of potentially hazardous energy. This is accomplished by the use of isolating devices which physically block access to the energy source and/or the use of hang-tags with authorized staff posted in the energy source area whenever maintenance or servicing is done on electrical circuits or equipment. It shall be used to ensure that the circuit or equipment is stopped, isolated from all potentially hazardous energy sources and locked out before employees perform any servicing or maintenance where the unexpected energization or start-up of the electrical circuit, equipment or the release of stored energy could cause injury.
2. The Engineer-in-Charge shall provide training to Senior Repairers and school staff, as appropriate, on the “Lockout/Tagout” Program.
3. The Engineer-in-Charge and Senior Repairers shall follow the procedures identified in the Lockout/Tagout Program prior to performing any electrical or mechanical work.
4. All employees shall comply with the restrictions and limitations imposed upon them during the use of lockout. Specifically, when an employee observes electrical circuits or equipment which have been locked out in order to perform servicing or maintenance, that employee shall not attempt to start, energize, or use electrical circuits or equipment.

G. PROCEDURES FOR THE WRITTEN INDOOR AIR QUALITY PROGRAM

1. The OOE Operations Manager and Engineer-in-Charge shall review and update the Written Indoor Air Quality (IAQ) Program (Attachment 5) on an annual basis and whenever necessary to reflect new or modified tasks, procedures and employee positions.
 - a. The completed Written IAQ Program shall be signed and maintained by the OOE Operations Manager.
 - b. The Public Employees Occupational Safety and Health (PEOSH) Indoor Air Quality (IAQ) Standard Inspection Checklist (Attachment 6) shall be completed and maintained by the Operations Manager or designee annually.
2. The OOE Operations Manager shall coordinate the PEOSH Indoor Air Quality training every two years for all Crew Supervisors, Senior Repairers, Repairers and Building Maintenance Workers in DCF Regional Schools.

3. The Crew Supervisors, Senior Repairers or the Repairers at the DCF Regional Schools shall:
 - a. Check the operation of the Heating Ventilation Air Conditioning (HVAC) units on a daily basis;
 - b. Where possible, correct problems to the HVAC units; and
 - c. Notify the DCF Operations Manager or Engineer-in-Charge when they are unable to repair an HVAC unit.
4. As necessary, the OOE Operations Manager shall schedule the HVAC unit to be examined by the OOE Engineer-in-Charge or Crew Supervisor.
 - a. Where possible, the HVAC unit will be repaired.
 - b. The OOE Engineer-in-Charge shall determine if the HVAC unit needs to be replaced and shall schedule the date and time of replacement with the Regional School Senior Repairer or Repairer.
5. The Crew Supervisor, Senior Repairer or Repairer shall:
 - a. Conduct a monthly inspection of the HVAC unit using the HVAC Inspection Checklist (Attachment 7). Each completed checklist shall be maintained at the Regional School by the Crew Supervisor, Senior Repairer or Repairer, as appropriate;
 - b. Clean the HVAC filters every month; and
 - c. Annually remove the HVAC unit for a cleaning.
6. The HVAC Preventative Maintenance Log (Attachment 8) shall be used whenever any preventative maintenance tasks are completed. This log shall be maintained at the Regional School by the Crew Supervisor, Senior Repairer or Repairer, as appropriate.
7. The ES or designee shall notify the OOE Operations Manager regarding all indoor air quality complaints.
 - a. The OOE Operations Manager shall meet with the individual(s) who have made the complaint and shall conduct an indoor air quality complaint investigation.
 - b. If the OOE Operations Manager cannot resolve the indoor air quality complaint, an Environmental Consultant will be retained to investigate the complaint.

- c. The OOE Operations Manager shall follow the recommendations of the Environmental Consultant and procure the necessary services to resolve the complaint.
- 8. When significant building repairs or renovations are required, the OOE Operations Manager shall:
 - a. Confer with the ES, the Engineer-in-Charge and others, as appropriate, to plan the work and complete the Renovation/Construction Project IAQ Compliance Checklist (Attachment 9).
 - b. Obtain permits for renovations and construction-related work as required by the New Jersey Uniform Construction Code.
 - c. Minimize the exposure of students and staff to dust and other small particles by the use of local ventilation, physical barriers or by scheduling the work to be performed when the building is unoccupied.
- 9. When the work to be performed may cause contaminants to be introduced into the air, the Operations Manager shall draft a written notification for all parents, students and employees.
 - a. The written notice shall:
 - 1) Be written for each specific project;
 - 2) Describe the nature of the work to be done;
 - 3) Identify potential environmental hazards and the methods of containment that will be used to address them; and
 - 4) Include the date when work will commence and be completed.
 - b. The draft written notice shall be approved by the Director, OOE, who in turn shall route the notice to the obtain approval of the DCF Executive Director of Community Services and the Director, DCF Office of Communications and Legislation.
 - c. The approved written notice shall be forwarded by the OOE Director to the Operations Manager who shall ensure this communication is provided to all parents, students and employees at least 24 hours prior to the commencement of the work.
- 10. The Operations Manager shall maintain all reports and findings of renovation and repair work.

Debra Stewart
Director

Attachments:

- A- 1: Written Hazard Communication Program
- A- 2: Lockout/Tagout Program
- A- 3: N.J.A.C. 8:59-5.7
- A- 4: Maintenance of Asbestos and Non-Asbestos Floor Coverings
- A- 5: Written Indoor Air Quality (IAQ) Program
- A- 6: PEOSH IAQ Standard Inspection Checklist
- A- 7: HVAC Inspection Checklist
- A- 8: HVAC Preventative Maintenance Log